

91st Legislative Session – 2016

Committee: House State Affairs

Wednesday, February 17, 2016

P - Present
E - Excused
A - Absent

Roll Call

P Bartling
P Bolin
P Haggar (Don)
P Hawley
P Langer
P Mickelson
P Munsterman
P Solum
P Stevens
P Verchio
P Wink
P Westra, Vice-Chair
P Gosch, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Chairman, Representative Gosch.

MOTION: TO APPROVE THE MINUTES OF WEDNESDAY, 10 FEBRUARY, 2016

Moved by: Westra
Second by: Munsterman
Action: Prevailed by voice vote.

THE CHAIR DEFERRED HB 1190

HB 1161: provide for and regulate consumer lines of credit and to provide a penalty for certain violations.

Presented by: Representative Langer

Proponents: Brett Koenecke, Check Into Cash C/O Multistate Associates Inc. (Handout: 1)
Doug Abraham, Consumer Lending Alliance Inc
Becky Cown, Advance America
Dan Henderson, Rapid City, self
Opponents: Erik Nelson, AARP of South Dakota (Handout: 2)
Sr. Lynn Marie Welbig, Presentation Sisters
Jenae Hansen, National Association of Social Workers-South Dakota
Sr. Kathleen Bierne, Presentation Sisters

MOTION: AMEND HB 1161

1161rb

On page 2, line 17, of the printed bill, delete "and".

On page 2, line 18, after "company" insert "; and

- (6) Any federal agricultural mortgage corporation or any entity chartered or operating under the Farm Credit Act of 1971".

On page 7, line 1, of the printed bill, delete everything after "license" .

On page 7, delete line 2.

On page 7, line 3, delete everything before ". The licensee" .

On page 8, line 6, after "lending" insert ", or consumer lines of credit".

On page 9, line 17, delete "twenty-four" and insert "two hundred".

On page 10, line 9, after "on-site" insert "or off-site".

On page 10, line 9, delete "The".

On page 10, delete lines 10 and 11.

On page 10, line 12, delete everything before "The" .

On page 11, line 1, delete "and".

On page 11, line 3, before "." insert "; and

- (8) A statement for each billing cycle that clearly shows how long it will take to pay off the balance owed and the total cost to the consumer if the consumer only pays the three percent minimum payment required in section 10 of this Act"

On page 11, line 5, after "." insert "A violation of this section is a Class 2 misdemeanor."

On page 12, line 9, delete "two" and insert "three".

On page 14, line 22, after "54-4" insert ", unless the licensee is in the business of lending money as defined in chapter 54-4".

Moved by: Solum
Second by: Mickelson
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1161 AS AMENDED

Moved by: Langer
Second by: Wink
Action: Prevailed by roll call vote. (8-5-0-0)

Voting Yes: Haggar (Don), Langer, Solum, Stevens, Verchio, Wink, Westra, Gosch

Voting No: Bartling, Bolin, Hawley, Mickelson, Munsterman

HB 1209: require any public body of the state to accept as valid all information on a person's birth certificate.

Presented by: Representative Bolin (Handout: 3)
Proponents: Linda Schauer, Concerned Women For America Legislative Action Committee
Dale Bartscher, Family Heritage Alliance
Senator Van Gerpen
Opponents: Elizabeth Skarin, American Civil Liberties Union
Miranda Gohn, Aberdeen, self

MOTION: DO PASS HB 1209

Moved by: Solum
Second by: Westra
Action: Prevailed by roll call vote. (8-4-1-0)

Voting Yes: Bolin, Haggar (Don), Langer, Solum, Stevens, Verchio, Westra, Gosch

Voting No: Bartling, Hawley, Mickelson, Wink

Excused: Munsterman

HB 1233: exempt the state from daylight saving time.

Presented by: Senator Olson

Opponents: Myron Rau, South Dakota Trucking Association, Auto Dealers Association

MOTION: DEFER HB 1233 TO THE 41ST LEGISLATIVE DAY

Moved by: Solum

Second by: Langer

Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Mickelson, Solum, Stevens, Wink, Westra, Gosch

Voting No: Verchio

Excused: Munsterman

HB 1238: revise the powers and duties of the Executive Board of the Legislative Research Council.

Presented by: Representative Westra

MOTION: DO PASS HB 1238

Moved by: Westra

Second by: Mickelson

Action: Prevailed by roll call vote. (12-0-1-0)

Voting Yes: Bartling, Bolin, Haggar (Don), Hawley, Langer, Mickelson, Solum, Stevens, Verchio, Wink, Westra, Gosch

Excused: Munsterman

MOTION: PLACE HB 1238 ON CONSENT CALENDAR

Moved by: Stevens
Second by: Westra
Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Westra
Second by: Mickelson
Action: Prevailed by voice vote.

Colleen Hunt
Committee Secretary

Brian G. Gosch, Chair